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Marshall consciously supplied this political leadership and not only seized upon but actually created opportunities for announcing his constitutional doctrines. This is clearly brought out in the treatment of "Jefferson's war on the judiciary," in the course of which *Marbury v. Madison* is discussed and Marshall's famous decision is characterized as "a political coup of the first magnitude." In his discussion of the Burr trial Professor Corwin criticizes Marshall's doctrine that there can be no such thing as constructive treason against the United States and suggests that in reality the recent espionage act "scraps Marshall's doctrine pretty completely." The reader finds a clear discussion of *McCulloch v. Maryland*, as well as of the leading cases under the contract clause of the constitution. The frequently maligned decision in the Dartmouth college case is defended as a useful forerunner of the "modern rule of reason" as a check upon arbitrary legislative power. A chapter on "The menace of state rights" throws interesting light upon the bitter attacks directed against the supreme court by state legislatures and by members of congress as a result of Marshall's nationalistic decisions. A brief description is given of Marshall's personal associations with friends and neighbors and an "epilogue" furnishes an appraisal of his work in the light of the subsequent development of our constitutional law.

Professor Corwin's treatment is critical and philosophical. The book has very high literary merit, is adequately indexed, and contains a brief critical bibliographical note.

ROBERT EUGENE CUSHMAN

On the Ohio. By H. Bennett Abdy. (New York: Dodd, Mead and Company, 1919. 300 p. \$2.50)

This book is a description of a steamboat journey from St. Louis to Pittsburgh by three western artists bent on securing sketches of the river and of the river towns. Traveling leisurely and stopping often, they luxuriated in the intermittent life of the levees, in languid villages with somnolent streets, and in the picturesque steamboat types. All these the author describes as one who loves his work. The illustrations of the book, which are good, are from sketches made on the trip.

The historical material in this book consists of the comments by the author. Only a few typical ones can be given. Louisville, says Mr. Abdy, probably came into existence as a "portage," which is a very logical view to take of it if, as Mr. Abdy does, we visualize the rather mild-mannered rapids there as "falls." At Maysville the great feud trials were held and a Kentucky governor was shot from ambush. This statement would indicate a mortality among Kentucky governors hitherto unsuspected. Frankfort has always been accorded the exclusive honors in gubernatorial extinction. On Blennerhassett island Hamilton and

Burr fought their famous duel and Hamilton was killed. Since Hamilton was killed at Weehawken also it might be well to know, in the interests of science, at which place he died first. Marietta, we are told, is the oldest town west of the Alleghenies, which is no more surprising perhaps than the reference to the "historic battlefield where General Custer won his famous fight with the Indians of the upper Missouri" (p. 265).

Typographical errors are few. Such no doubt are the "Standard Old Company" (p. 139) and the allusion to cattle "taking freight" on going aboard ship (p. 104).

R. S. COTTERHILL

Georgia as a proprietary province. The execution of a trust. By James Ross McCain, Ph.D. (Boston: Richard G. Badger, 1917. 357 p. \$2.50)

Diary of Count Percival. Afterwards first Earl of Egmont. Volume I, 1730-1733 [Historical manuscripts commission, *Manuscripts of the Earl of Egmont*] (London, 1920. 447 p. 2 s)

Professor McCain's book is one of the many the writing of which was prompted by the late Professor Osgood; and this fact alone explains the phrasing of its title, which is misleading. Georgia was, indeed, never a "proprietary province," for the persons in whom its charter vested authority were strictly debarred from property rights in the enterprise. Georgia was a trustee colony and ought always to be called such.

The book itself is an admirable monograph, the first to be written in its field since the publication of the *Georgia colonial records* made copious material readily accessible. It is not a narrative of occurrences nor a picture of life, but a searching analysis of organization, official personnel, problems and procedure. It illuminates many points previously obscure or misunderstood. It shows, for example, that the board of trustees held more frequent meetings than did its executive council, and it explains this anomaly by reference to the charter stipulation of eight members as a quorum of the council, whereas the matter of the board's quorum was left to the board's own determination and was fixed at three members. Accordingly many a meeting called as of the council but finding a quorum wanting resolved itself into a session of the board instead and proceeded to the transaction of business. By reference to the peculiar provisions of the charter in another connection Professor McCain makes it clear why the trustees never appointed a governor of the colony but gave even to Oglethorpe mere power of attorney.

Upon a few points which preceding writers have treated with assurance Professor McCain raises doubts. But in one of these, namely, the origination of the debtor-colony project by James Oglethorpe, the earlier assurance appears to be vindicated by Viscount Percival's diary, the first